

(Rev. 11/2012)

**PETITION UNDER 28 USC § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

**FILED - GR**  
November 30, 2015 3:08 PM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: mke/ SCANNED BY: [Signature]

<b>United States District Court</b>	District
Name (under which you were convicted): <u>John A Harris Jr</u>	Docket or Case No. <u>S. Ct. 151329</u> <u>Co. No. 324325</u>
Place of Confinement:	Prisoner No.: <u>194166</u>
Name of Petitioner (include name under which convicted) <u>John Harris Jr</u>	Name of Respondent (authorized person having custody) <u>Carson City Correctional Facility</u>
The Attorney General of the State of: <u>Michigan</u>	<b>1:15-cv-1245</b> Janet T. Neff - U.S. District Judge Ellen S. Carmody - Magistrate Judge

**PETITION**

- (a) Name and location of court that entered the judgment of conviction you are challenging: Muskegon County  
14<sup>th</sup> Circuit court
- (b) Criminal docket or case number: 11-100322-FH
- Date of judgment of conviction: 1-23-2012
- Identify all counts and crimes for which you were convicted and sentenced in this case: Felony child support
- Length of sentence for each count or crime for which you were convicted in this case: 18 mo - 15 yrs.
- (a) What was your plea?  
Not guilty ☐  
Guilty ☒  
Nolo contendere (no contest) ☐

(b) If you entered a guilty plea to one count or charge, and a not guilty plea to another count or charge, give details:

a guilty plea for felony child support order

6. If you went to trial, what kind of trial did you have? (Check one)

(a) Jury ☐

(b) Judge only ☐

7. Did you testify at the trial? Yes ☐ No ☒

8. Did you file a direct appeal to the Michigan Court of Appeals from the judgment of conviction? Yes ☒ No ☒

9. If you did appeal, answer the following:

(a) Date you filed: \_\_\_\_\_

(b) Docket or case number: 11-60322-FH

(c) Result: see attached doc. appeal atty withdrawn/denied alt.

(d) Date of result: see attached doc.

(e) Grounds raised: Petitioner was violated of const. Right, and  
court was violating mcl. 552.455 and mcl. 552.456  
where prosecution was barred

**Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.**

(g) Did you seek further review of the decision on appeal by the Michigan Supreme Court? Yes ☒ No ☐

If yes, answer the following:

(1) Date you filed: April 19, 2015

(2) Docket or case number: 151398

(3) Result: Denied

(4) Date of result: September 29, 2015

(5) Grounds raised: Did the convicting court have jurisdiction to try Petitioner for a void judgment order?

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

(h) Did you file a petition for certiorari in the United States Supreme Court? Yes ☐ No ☒

If yes, answer the following:

- (1) Date you filed: \_\_\_\_\_
- (2) Docket or case number: \_\_\_\_\_
- (3) Result: \_\_\_\_\_
- (4) Date of result: \_\_\_\_\_
- (5) Grounds raised: \_\_\_\_\_

10. Did you file a motion for relief from judgment pursuant to Subchapter 6.500 of the Michigan Court Rules with respect to the judgment of conviction and sentence? Yes ☒ No ☐

11. If your answer to 10 was "yes," give the following information:

- (a) (1) Date you filed: June 19, 2013
- (2) Name of court: Musk. County & 14<sup>th</sup> Circuit Court
- (3) Docket or case number: 11-60322 F.A
- (4) Grounds raised: The court violated petitioners constitutional rights when enforcing the void order and was violating MCL. 552.455 and 552 MCL. 552.456 (see
- (5) Did you receive a hearing where evidence was given on your motion? Yes ☐ No ☒
- (6) Result: order was Denied see attached order
- (6) Date of result: July 19, 2013

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

(b) If you sought further review of the decision in the Michigan Court of Appeals, please answer the following:

- (1) Date you filed: Dec. 12, 2013
- (2) Docket or case number: See attached doc. # 324325
- (3) Result: Denied
- (4) Date of result: See attached doc.
- (5) Grounds raised: the convicting court violated petitioner constitutional rights whereas prosecution was barred pursuant to law

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

(c) If you sought further review of the decision in the Michigan Supreme Court, please answer the following:

- (1) Date you filed: See attached doc.
- (2) Docket or case number: 151398
- (3) Result: Denied
- (4) Date of result: 9-29-2015
- (5) Grounds raised: Did convicting court have jurisdiction to try petitioner for a void judgment order

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

12. Other than a direct appeal or a motion for relief from judgment, have you previously filed any petitions, applications, or motions with respect to this judgment in any court, state or federal? Yes ☒ No ☒

13. If your answer to 12 was "yes," give the following information: [Attach additional sheets of paper, if necessary, to answer the following for each petition, application, or motion you filed.]

- (a) (1) Date you filed: 9-5-14
- (2) Name of court: 8<sup>th</sup> circuit court
- (2) Docket or case number: 14-H-19163-AM see att. doc.
- (3) Nature of the proceeding: Habeas Corpus

(4) Grounds raised: Did the convicting Ct have Jurisdiction to try Petitioner for a void judgment order?

(5) Did you receive a hearing where evidence was given on your motion? Yes ☐ No ☒

(6) Result: Denied

(7) Date of result: 9-10-2014

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

(b) Did you appeal to the highest court having jurisdiction the result of action taken on any petition, application or motion?  
Yes ☒ No ☐

If yes, please provide the following:

(1) Date you filed: 12-10-2014 appeals Ct 5-21-2015 state S.Ct.

(2) Name of court: Court of appeals and state supreme Court

(3) Result: \_\_\_\_\_

(4) Date of result and case number: 9-29-2015 # 151398 and 324325  
see att doc.

(5) Grounds raised: \_\_\_\_\_

Please submit, if available, a copy of any brief filed on your behalf and a copy of the decision by the court.

(c) If you did *not* appeal from the adverse action on any petition, application or motion, explain briefly why you did not:

My court appointed appeals attorney dismissed himself and the  
convicting court Denied petitioner a new court of appeals  
attorney see attached documents

14. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: Did the Convicting Ct have Jurisdiction to try Petitioner for a void judgment order?

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): See

Petitioners attached brief statement of facts and supporting arguments

(b) Direct Appeal of Ground One:

(1) If you appealed from the judgment of conviction, did you raise this issue? Yes ☒ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: Appeal attorney withdrew and the convicting Court refused to appoint and alternate see att doc.

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in a motion for relief from judgment pursuant to Subchapter 6.500 of the Michigan Court Rules? Yes ☒ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Date motion was filed: See att. doc.

Name and location of the court where the motion was filed: 14<sup>th</sup> circuit court

Docket or case number: 11-60322 FA

Result (attach a copy of the court's opinion and order, if available): see attached doc

Date of result: 7-19-2013

(3) Did you receive a hearing on your motion? Yes ☐ No ☒

(4) Did you appeal from the denial of your motion? Yes ☒ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? Yes ☒ No ☐

If yes, answer the following:

Date you filed: \_\_\_\_\_

Name and location of court: Mich CO.A. Grand Rapids mi

Docket or case number: 324325

Result (attach a copy of the court's opinion and order, if available): See attached

Date of result: 3-3-2015 see att doc

(d) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: Habeas Corpus filed in

the 8<sup>th</sup> Circuit Court and reconsideration also Habeas  
corpus filed in Mich COA & state Supreme Ct. see (att doc)

(e) If you did not exhaust your state remedies on Ground One, explain why: \_\_\_\_\_

**GROUND TWO:** n/a

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim): \_\_\_\_\_

(b) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue? Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in a motion for relief from judgment pursuant to Subchapter 6.500 of the Michigan Court Rules? Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Date motion was filed: \_\_\_\_\_

Name and location of the court where the motion was filed: \_\_\_\_\_

Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available): \_\_\_\_\_

Date of result: \_\_\_\_\_

(3) Did you receive a hearing on your motion? Yes ☐ No ☐

(4) Did you appeal from the denial of your motion? Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? Yes ☐ No ☐

If yes, answer the following:

Date you filed: \_\_\_\_\_

Name and location of court: \_\_\_\_\_

Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available) : \_\_\_\_\_

Date of result: \_\_\_\_\_

(d) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: \_\_\_\_\_

(e) If you did not exhaust your state remedies on Ground Two, explain why: \_\_\_\_\_



**GROUND THREE:** n/a

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim): \_\_\_\_\_

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(b) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue? Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

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(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in a motion for relief from judgment pursuant to Subchapter 6.500 of the Michigan Court Rules? Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Date motion was filed: \_\_\_\_\_

Name and location of the court where the motion was filed: \_\_\_\_\_

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Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available): \_\_\_\_\_

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Date of result: \_\_\_\_\_

(3) Did you receive a hearing on your motion? Yes ☐ No ☐

(4) Did you appeal from the denial of your motion? Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? Yes ☐ No ☐

If yes, answer the following:

Date you filed: \_\_\_\_\_

Name and location of court: \_\_\_\_\_

Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available) : \_\_\_\_\_

\_\_\_\_\_

Date of result: \_\_\_\_\_

(d) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: \_\_\_\_\_

\_\_\_\_\_

(e) If you did not exhaust your state remedies on Ground Three, explain why: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**GROUND FOUR:** n/a

\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(b) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue? Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in a motion for relief from judgment pursuant to Subchapter 6.500 of the Michigan Court Rules? Yes ☐ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Date motion was filed: \_\_\_\_\_

Name and location of the court where the motion was filed: \_\_\_\_\_

Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available): \_\_\_\_\_

Date of result: \_\_\_\_\_

(3) Did you receive a hearing on your motion? Yes ☐ No ☐

(4) Did you appeal from the denial of your motion? Yes ☐ No ☐

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? Yes ☐ No ☐

If yes, answer the following:

Date you filed: \_\_\_\_\_

Name and location of court: \_\_\_\_\_

Docket or case number: \_\_\_\_\_

Result (attach a copy of the court's opinion and order, if available) : \_\_\_\_\_

Date of result: \_\_\_\_\_

(d) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: \_\_\_\_\_

(e) If you did not exhaust your state remedies on Ground Four, explain why: \_\_\_\_\_

15. Have you previously filed any type of petition, application or motion in a federal court regarding the conviction that you challenge in this petition? Yes ☐ No ☒

If "Yes," state the date of filing, the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available:

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16. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, as to the judgment you are challenging? Yes ☐ No ☒

If "Yes," state the date of filing, the name and location of the court, the docket or case number, the type of proceeding, and the issues raised:

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17. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: Joseph Fisher, muskegon mi. public Defender  
atly Balgooyen musk mi. public def, Mitchell Foster C.O.A. atty

(b) At arraignment and plea: Balgooyen Public defense.

(c) At trial: \_\_\_\_\_

(d) At sentencing: Balgooyen.

(e) On appeal: mitcheLL Foster see att. doc.

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any adverse ruling in a post-conviction proceeding: \_\_\_\_\_

18. Do you have any future sentence to serve after you complete the sentence imposed by the judgment you are challenging?  
Yes ☒ No ☐

(a) If so, give the name and location of court which imposed the sentence to be served in the future: retail fraud  
child support  
muskegon mi. 14<sup>th</sup> circuit court

(b) Give the date the other sentence was imposed: 4-7-2014

(c) Give the length of the above sentence: 13 mths

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future?  
Yes ☐ No ☒

19. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

see attached judgement from state supreme court

\*The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

(1) A 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -

(A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;

(B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;

(C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

(D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

(2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant him or her the relief to which he may be entitled in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on \_\_\_\_\_ (month, date, year).

  
\_\_\_\_\_  
Signature of Petitioner

11-26-15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Attorney (if any)

If the person signing is not petitioner or an attorney, state relationship to petitioner and explain why petitioner is not signing this petition. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

United States District court  
Western District of Michigan  
Southern Division

John Arthur Harris  
Petitioner, 194166  
v

MICH S. Ct. 131459  
COA NO. 324325

Carson City Correctional Facility warden  
defendant

I ask of this Honorable court to consider the issue in the arguments herewithin which are the same presented to the State Supreme Court of Mich. and all lower courts involved.

**Statement Of Facts**

Petitioner filed a motion to modify his support order in the 14th Circuit Court. A valid support order was entered on 1-12-2011 effective 1-1-2011. On 2-7-2011 a warrant was issued for petitioner for noncompliance of his past support order (2004-2010) that had been modified, and was no longer binding for petitioner to comply with.

Petitioner was advised by his defense attorney to enter a guilty plea based on the attorney interpretation of the laws. While on bond petitioner investigated his case further , and found the order he plead guilty of being in noncompliance of was null and void by law, and that the court was prohibited to enforce the order by law.

The 14th Circuit Court denied petitioners motion to withdraw his plea and reconsideration (see att. doc.). After sentencing petitioners appeals attorney, stated the modification laws did not apply (protect petitioner) and withdrew himself (see att. doc.) The Court denied petitioner appointment of another appeals attorney. Petitioner at the time was unaware as to how to file an appeal In Pro Per. Petitioner later filed a motion

for relief from judgment ( 6.500). arguing the same modification laws, and was denied by the Circuit Court and the Court of Appeals (see att. doc.). After being sentenced to prison petitioner filed a Writ of Habeas Corpus with the 8th Circuit Court arguing the same modification laws and was denied, as well a motion for reconsideration asking the Court to interpret the clear and **unambiguous** language of the laws and was denied. Both the Court of Appeals and the State Supreme Court denied petitioners Writ Of Habeas Corpus ( see att. docs). All Courts motioned to by petitioner refused to address the modification laws presented, that were enacted by Legislation with the equal protection petitioner is afforded, under the Constitution, also protects petitioner from being deprived of his liberty under the Constitution .

(Issue I.)

Did the convicting court have jurisdiction to try petitioner for void judgment order setting forth a radical defect?

Petitioner answers "NO" Respondent answers "YES" the court should review the Supreme Courts decision on this issue because:

In a leave to appeal from a decision of the State Supreme Court decision is Erroneous and conflicts with Mich. Supreme Courts, and Court of Appeals decision(s) , Federal Court decision(s), and U.S. S ct. decision(s), also laws enacted by legislation for the equal protection afforded to all non-custodial parents.

Petitioner ask of this honorable court to consider the issue in the arguments herewithin.

**Argument**



Did the convicting court have jurisdiction to try petitioner for a void judgment(order) setting for a radical defect? Petitioner answers "NO" respondent answers "YES"

### **Standard of Review**

"Habeas relief is appropriate only when a Habeas petitioner can show a radical defect that renders a proceeding or judgment void" Kenny v Booker, 494 Mich at 582 ( 2013)

Petitioner filed a motion to modify his support order exh. 1 A valid order was entered 1-12-2011 effective 1-1-2011. exh. 2 Stated in a Court of Appeal decision "When a party approves an order or consent to a Judgment by stipulation the resultant Judgment/ order is **binding** upon the **parties** and the Courts and can not be set aside" Walker v Walker , 155 Mich. App 406 (1986)

On 2-7-2011 a warrant was issued for petitioner for non compliance of his past order 2004-2010 as indicated exh. 3. that had been modified and no longer binding. mcl. 552.455 States "an order entered under sec.2 my be modified by the court, upon **proper** application to the court, and due notice to the opposite party, if a Judgment of divorce or separate maintenance is entered , by a court having personal jurisdiction over the parties , an order entered under this act is **null and void** upon the effective date of the judgment"

The order entered under sec. 2 (mcl, 552.452) that maybe modified, would be persuant to a complaint filed by a married or unmarried custodial parent for support against the non custodial parent per. mcl. 552.451 sec1 or 1 (a). Mcl552.455 applies to and voides both a married and unmarried non custodial parents support order post modification. Petitioners 2004-2010 support order was **NULL AND VOID** on 1-1-2011 the effective date of the order entered by a proper motion to modify per mcl 552.455 mcl 552.456

states, "A warrant for criminal non support shall not issue or be enforced against any parent who is a party to the proceedings provided for in this act, if if the parent complies with an order entered by a Court under this act, the parents testimony if any in under this act is not admissible in criminal proceedings" The proceedings referenced to is the modification proceeding per mcl. 552.455 petitioner was a party to. The court was prohibited to enforce the void order. Statues 552.455 and 552.456 were enacted by legislation for the equal protection afforded to ALL non custodial parents post modification and protects petitioner from enforcement of his past support order, and are the primary base of petitioners argument that the order petitioner was convicted of was void by law on 1-1-2011. Leading to the convicting courts lack of subject matter jurisdiction when the court entered it's judgment against the petitioner.

The court(s) decision conflicts with statues, and the equal protection petitioner is afforded under the equal protection clause of the Mich. const. art. 1 sub. sec.2.

the Supreme court in Buchkowski v Buchkowski, 351,Mich 216, 221-222 (1958). decided "The failure to distinguish between the erroneous exercise of jurisdiction and the want of jurisdiction is a fruitful source of confusion and erancy of decision. In the first case the errors of the court can only be corrected by an appeal or writ of error, in the last case it's judgments are void , and may be assailed by indirect or direct attack"

Subject matter attached to petitioners 1-11-11 valid order only. In petitioners case the court was of the want of jurisdiction over the void order per .mcl 552.455 and mcl. 552.456

The Court of Appeals stated "a judgment entered by a court without subject matter jurisdiction is a void judgment and may be vacated at any time" Merchant Bank v Rabideau, 131 Mich. App 302, 307 (1983).

Petitioner was convicted of his 2004-2010 support order that was void by law post modification. Austin v Smith, 312 F. 2d 337, 343(1962). where a order/judgment is based upon a void order/judgment "if the underlying judgment is void, the judgment based upon it is also void" per Federal rule 60 (b) (5).

Petitioner has challenged the validity, and subject matter jurisdiction of the void 2004 - 2010 order he was convicted of post modification. As stated in Basso v Utah Power Light co, 495 F. 2d 906, 910 (1974). " Jurisdiction can be challenged at any time, and **jurisdiction** once challenged can not be assumed, it must be decided."

Under Old Wayne Mute. 1 Assoc. v Mc donough, 204, U.S. 8, 27 S ct. 236 (1907). the court decided "A court can not confer jurisdiction where none existed, and can not make a void proceeding valid, it is a clear and well established law, a void order can be challenged in any court".

Petitioners standard of review , Kenny v Booker, supra, "Habeas relief is appropriate only when a Habeas petitioner can show a radical defect that renders a proceeding or judgment void".

#### **The facts must be reviewed**

(1) There was a modification of petitioners support order with a valid order entered effective 1-11-11 fact. (2) The 2004 -2010 order enforced was void post modification per. mcl.552.455 fact . (3) The court was prohibited to issue or enforce a warrant , charging petitioner for the void order pot modification per. 552.456 fact. (4) The convicting court

entered a judgment against petitioner without subject matter jurisdiction, based on voided order post modification per mcl.552.455 and mcl.552.456 fact.

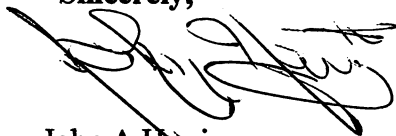
### **Conclusion**

Petitioners 2004-2010 support order was void (nonexistent) by law when petitioner was convicted. Inasmuch the convicting court was without prohibited to enforce the void order by law. These laws were enacted to protect petitioner from being deprived of his **Liberty**.

### **Relief requested**

For the above reason herewithin petitioner request of this honorable court to grant petitioners writ of Habeas Corpus, and any other relief this honorable court decides petitioner is intitled to receive including but not limited to my conviction being vacated.

**Sincerely,**



John A Harris  
In Pro Per  
516 Amity Ave. apt. 2  
Muskegon, Mi. 49442

Date: 11-26-15

### **Proof Of Service**

I John A Harris do swear under the penalties of perjury that a copy of this Federal complaint, was mailed certified to respondents Atty. Scott R Rothermel (P70711) at P.O box 30217 Lansing Mi. 48909

Dated: 11-26-15



John A Harris